

AMENDED IN SENATE JANUARY 15, 2004

AMENDED IN SENATE JANUARY 5, 2004

**SENATE BILL**

**No. 115**

**Introduced by Senator Torlakson**

February 3, 2003

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An act to add Section 1947.3 to the Civil Code, relating to landlord and tenant.

LEGISLATIVE COUNSEL'S DIGEST

SB 115, as amended, Torlakson. Landlord and tenant: ~~rent~~ payments.

Existing law regulates the relationship between landlord and tenant and the terms and conditions of tenancies. Existing law requires a tenant to pay rent as it successively becomes due.

This bill would ~~require a landlord to accept a money order from any tenant for the payment of rent or a security deposit, as specified~~ *prohibit a landlord or a landlord's agent from requiring cash as the exclusive payment of rent or deposit of security. The bill would provide that a waiver of these provisions is contrary to public policy, void, and unenforceable.*

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 1947.3 is added to the Civil Code, to  
2 read:

1     1947.3. ~~Notwithstanding any agreement to the contrary, a~~  
2 ~~landlord shall accept a money order from any tenant for the full or~~  
3 ~~partial payment of rent or a security deposit, so long as that money~~  
4 ~~order, as described in paragraph (1) of subdivision (a) of Section~~  
5 ~~33059 of the Financial Code, is issued by an entity authorized to~~  
6 ~~issue payment instruments pursuant to Division 16 (commencing~~  
7 ~~with Section 33000) of the Financial Code. (a) A landlord or a~~  
8 ~~landlord's agent may not demand or require cash as the exclusive~~  
9 ~~form of payment of rent or deposit of security.~~  
10     ***(b) A waiver of the provisions of this section is contrary to***  
11 ***public policy, and is void and unenforceable.***

